

Introduced by Senator Pan

February 18, 2016

An act to add Section 27522 to the Government Code, relating to coroners.

LEGISLATIVE COUNSEL'S DIGEST

SB 1189, as introduced, Pan. Coroners: oversight of examinations.

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths. Existing law either requires or authorizes a county coroner, under certain circumstances, to perform, or cause to be performed, an autopsy on a decedent. Existing law imposes certain requirements on a coroner conducting a postmortem examination or autopsy on an unidentified body or human remains.

Existing law authorizes the board of supervisors of a county to consolidate the duties of certain county offices in one or more of specified combinations, including, but not limited to, sheriff and coroner, district attorney and coroner, and public administrator and coroner. Existing law authorizes the board of supervisors of a county to abolish the office of coroner and provide instead for the office of medical examiner, as specified, and requires the medical examiner to be a licensed physician and surgeon duly qualified as a specialist in pathology.

This bill would require that the results of a postmortem examination or autopsy conducted by a coroner or deputy coroner be subject to review and signed approval by a licensed physician and surgeon who is duly qualified as a specialist in pathology. If the coroner and pathologist disagree about a cause of death, this bill would require that the cause of death be subject to review and signed approval by a separate

qualified pathologist. This bill would authorize a coroner who is a qualified pathologist to review and approve his or her own postmortem examination or autopsy. By imposing additional duties upon local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27522 is added to the Government Code,
2 to read:
3 27522. (a) The results of a postmortem examination or autopsy
4 conducted by a coroner or deputy coroner are subject to review
5 and signed approval by a licensed physician and surgeon who is
6 duly qualified as a specialist in pathology.
7 (b) The results of any of the following items are subject to
8 review and signed approval pursuant to subdivision (a):
9 (1) Procedures described in subdivision (b) of Section 27521.
10 (2) An analysis of the stomach, stomach contents, other organs,
11 blood, urine, other fluids, or tissues of the body.
12 (3) Other chemical testing associated with inquiry into the
13 circumstances, manner, and cause of death.
14 (c) The pathologist, as defined in subdivision (a), may conduct
15 his or her own analysis and include the results in the postmortem
16 examination or autopsy report. If the coroner and pathologist
17 disagree about a cause of death, the cause of death is subject to
18 review and signed approval by a separate qualified pathologist, as
19 defined in subdivision (a). The second pathologist may conduct
20 his or her own analysis and include the results in the same report.
21 (d) A coroner who is a qualified pathologist may review and
22 approve his or her own postmortem examination or autopsy.
23 SEC. 2. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to

1 local agencies and school districts for those costs shall be made
2 pursuant to Part 7 (commencing with Section 17500) of Division
3 4 of Title 2 of the Government Code.

O